

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

LARRY FREUDENBERG, Individually And On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN AND ROBERT J.  
SIMMONS,

Defendants.

Civil Action No. 07-cv-8538 (RWS)

CLASS ACTION

WILLIAM BOSTON, Individually And On  
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN AND ROBERT J.  
SIMMONS,

Defendants.

Civil Action No. 07-cv-8808 (RWS)

ROBERT D. THURMAN, Individually And On  
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN AND ROBERT J.  
SIMMONS,

Defendants.

Civil Action No. 07-cv-9651 (RWS)

WENDY M. DAVIDSON, individually and on behalf of all others similarly situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN AND ROBERT J.  
SIMMONS,

Defendants.

Civil Action No. 07-cv-10400 (UA)

JOSHUA FERENC, individually and on behalf of all others similarly situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN AND ROBERT J.  
SIMMONS,

Defendants.

Civil Action No. 07-cv-10540 (SHS)

**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2007, the I caused the foregoing: (1) Memorandum Of Law In Further Support Of The Motion Of The Kristen-Straxton Group For Consolidation Of All Related Cases, Appointment Of Lead Plaintiff And Approval Of The Selection Of Lead Counsel And In Opposition To Competing Lead Plaintiff Motions; and (2) the Declaration Of Elizabeth A. Schmid Esq. In Further Support Of The Motion Of The Kristen-Straxton Group For Consolidation Of All Related Cases, Appointment Of Lead Plaintiff And Approval Of The Selection Of Lead Counsel And In Opposition To Competing Lead Plaintiff Motions and exhibits thereto, to be filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil

Procedure and/or the Southern District of New York Local Rules, Southern District of New York Electronic Service upon the following counsel for the following parties and participants:

Dennis E. Glazer, Esq.  
Nancy B. Ludmerer, Esq.  
Edward N. Moss, Esq.  
**Davis Polk & Wardwell**  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4900

*Counsel for Defendants E\*Trade Financial Corporation,  
Mitchell H. Caplan, and Robert J. Simmons*

David Avi Rosenfeld, Esq.  
**Coughlin, Stoia, Geller, Rudman & Robbins, LLP**  
58 South Service Road  
Suite 200  
Melville, NY 11747  
Telephone: (631) 367-7100

*Counsel for Plaintiff Larry Freudenberg*

Richard A. Maniskas, Esq.  
D. Seamus Kaskela, Esq.  
**Schiffman Barroway Topaz & Kessler LLP**  
280 King of Prussia Road  
Radnor, PA 19087  
Telephone: (610) 667-7706

Evan J Smith, Esq.  
**Brodsky & Smith, L.L.C.**  
240 Mineola Blvd.  
Mineola, NY 11501  
Telephone: (516)-741-4977

*Counsel for Plaintiff William Boston*

Howard G. Smith, Esq.  
**Smith & Smith**  
3070 Bristol Pike

Bensalem, PA 19020  
Telephone: (215) 638-4848

Ira M. Press, Esq.  
**Kirby McInerney LLP**  
830 Third Avenue  
10th Floor  
New York, NY 10022  
Telephone: (212) 371-6600

Lionel Z. Glancy, Esq.  
**Law Offices of Lionel Z. Glancy**  
1801 Avenue of the Stars  
Suite 311  
Los Angeles, CA 90067  
Telephone: (310) 201-9150

Michael Goldberg, Esq.  
**Law Offices of Lionel Z. Glancy**  
1801 Avenue of the Stars  
Suite 311  
Los Angeles, CA 90067  
Telephone: (310) 201-9150

*Counsel for Plaintiff Robert D. Thulman*

Ira M. Press, Esq.  
**Kirby McInerney LLP**  
830 Third Avenue  
10th Floor  
New York, NY 10022  
Telephone: (212) 317-2300

Lionel Z. Glancy  
Michael Goldberg  
**Glancy Binkow & Goldberg LLP**  
1801 Avenue of the Stars, Suite 311  
Los Angeles, California 90067  
Telephone: (212) 201-9150

Howard G. Smith, Esq.  
**Law Offices of Howard G. Smith**  
3070 Bristol Pike, Suite 112  
Bensalem, PA 19020  
Telephone: (215) 638-4847

*Counsel for Plaintiff Wendy M. Davidson*

James Stuart Notis, Esq.  
Dustin Peter Mansoor, Esq.  
**Gardy & Notis, LLP**  
440 Sylvan Avenue  
Suite 110  
Englewood Cliffs, NJ 07632  
Telephone: (201) 567-7377

*Counsel for Plaintiff Joshua Ferenc*

Gregory Mark Nespole  
**Wolf Haldenstein Adler Freeman & Herz LLP**  
270 Madison Avenue  
New York, NY 10017  
Telephone: 212-545-4657

*Counsel for Robert & Jessica Grant and First Derivative Traders LP*

Eduard Korsinsky  
**Zimmerman Levi & Korsinsky, LLP (NY)**  
39 Broadway, Suite 1601  
New York, NY 10006  
Telephone: 212-363-7500

*Counsel for Ira Newman*

Geoffrey Coyle Jarvis  
**Grant & Eisenhofer, PA**  
Chase Manhattan Centre  
1201 North Market Street  
Wilmington, DE 19801  
Telephone: 302-622-7040

*Counsel for E\*TRADE Institutional Investor Group*

**Daniel Patrick Chiplock**  
Lieff Cabraser Heimann & Bernstein, LLP  
275 Battery Street, 30th Floor  
San Francisco, CA 94111  
Telephone: 212-355-9500

*Counsel for Skandia Life Insurance Company Ltd.*

Executed: December 20, 2007  
New York, New York

/s/ Elizabeth A. Schmid, Esq.  
Elizabeth A. Schmid, Esq. (ES-1294)